

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

THOMAS J. HOOGHE

PLAINTIFF

VS.

CIVIL ACTION NO. 3:17CV272TSL-LRA

WARDEN FRANK SHAW

DEFENDANT

ORDER

This cause is before the court on the report and recommendation of Magistrate Judge Linda R. Anderson entered on February 21, 2020, recommending that defendant's motion for summary judgment be granted, plaintiff's complaint be dismissed and his motion for a temporary restraining order be denied. Plaintiff has filed objections. Having reviewed the report and recommendation and plaintiff's objections, the court concludes that the objections are overruled and hereby adopts, as its own opinion, the magistrate judge's report and recommendation.<sup>1</sup>

Based on the foregoing, it is ordered that the report and recommendation of United States Magistrate Judge Linda R. Anderson entered on February 21, 2020, be, and the same is hereby, adopted as the finding of this court. Accordingly, it is further ordered that defendant's motion for summary judgment is granted and his motion for a temporary restraining order is denied.

---

<sup>1</sup> The court notes that there is a rational basis for MDOC's nudity policy and many images contained in the 2017 SI Swimsuit edition constitute nudity under the SOP's definition.

A separate judgment will be entered in accordance with Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED this 30th day of March, 2020.

/s/Tom S. Lee

UNITED STATES DISTRICT JUDGE